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Attorney for Defendant

5 **UNITED STATES DISTRICT COURT**  
6 **DISTRICT OF NEVADA**

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9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 vs. CASE NO.: 2:21-mj-00155-EJY

12 KENNETH LANE ELLIS

13 **STIPULATION TO CONTINUE TRIAL**  
**(Seventh Request)**

14 Defendant.

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16 IT IS HEREBY STIPULATED AND AGREED, by and between JASON M. FRIERSON,  
17 Acting United States Attorney, and MINA CHANG, ESQ., Assistant United States Attorney,  
18 counsel for the United States of America, and ERICK M. FERRAN, ESQ., counsel for Defendant  
19 KENNETH LANE ELLIS, that the Trial date in the above-captioned matter, currently set for June  
20 22, 2022, at 9:00 a.m., be continued for at least thirty (30) days or to a time convenient to this  
21 Honorable Court.

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23 This stipulation is entered into for the following reasons:

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25 1. Counsel for the Defendant needs additional time to prepare for trial in the case,  
26 including conducting legal research and review of the discovery. The Parties also need  
27 additional time to continue exploring full resolution of the matter without going to trial;

2. Counsel for Defendant has had a recent COVID finding and has been unable to meet with his client to properly prepare for the trial in this matter.
3. Defense Counsel and Assistant United States Attorney Chang are currently in negotiations;
4. Defendant Ellis is not in custody and does not object to the continuance.
5. All parties involved agree to the continuance.
6. This is the seventh request for a continuance of trial.
7. Denial of this request for continuance would result in a miscarriage of justice.
8. This request for a continuance is made in good faith and is not intended to delay the proceedings in this matter.
9. The additional time requested by this stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A), when considering the factors under 18 U.S.C. §§ 3161(h)(7)(B)(i) and 3161(h)(7)(B)(iv).
10. For all the above-stated reasons, the ends of justice would be best served by a continuance of the trial date.

DATED this 21<sup>st</sup> day of June, 2022

/s/ Erick M. Ferran, Esq.  
ERICK M. FERRAN, ESQ.  
Counsel for Defendant Ellii

/s/ MINA CHANG, ESQ.  
MINA CHANG, ESQ.  
Assistant United States Attorney

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

\* \* \*

UNITED STATES OF AMERICA,

Plaintiff,

VS.

# KENNETH LANE ELLIS

## 10 Defendants.

CASE NO.: 2:21-mj-00155-EJY

## **ORDER TO CONTINUE TRIAL**

## **FINDINGS OF FACT**

Based on the pending Stipulations of the parties, and good cause appearing therefore, the Court finds that:

1. Counsel for the Defendant needs additional time to prepare for trial in the case, including conducting legal research and review of the discovery. The Parties also need additional time to continue exploring full resolution of the matter without going to trial;
2. Counsel for Defendant has had a recent COVID finding and has been unable to meet with his client to properly prepare for the trial in this matter.
3. Defendant ELLIS is not in custody and does not object to the continuance;
4. Defense Counsel and Assistant United States Attorney Chang are currently in negotiations;
5. All parties involved agree to the continuance;
6. This is the seventh request for a continuance filed herein;
7. Denial of this request for continuance would result in a miscarriage of justice.

8. This request for a continuance is made in good faith and is not intended to delay the proceedings in this matter.
9. The additional time requested by this stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A), when considering the factors under 18 U.S.C. §§ 3161(h)(7)(B)(i) and 3161(h)(7)(B)(iv).

## **CONCLUSIONS OF LAW**

1. The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.
2. This request for a continuance is made in good faith and is not intended to delay the proceedings in this matter.
3. The additional time requested by this stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A), when considering the factors under 18 U.S.C. §§ 3161(h)(7)(B)(i) and 3161(h)(7)(B)(iv).

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1           4. For all the above-stated reasons, the ends of justice would be best served by a  
2           continuance of the trial date.

3           **ORDER**

4           IT IS ORDERED that the trial scheduled for June 22, 2022, at 9:00 a.m., be  
5           continued. IT IS FURTHER ORDERED that the Trial in this matter be scheduled for the **27th**  
6           **day of July, 2022 at 9:00 am** in Courtroom 3D.

7           **DATED** this 21st day of June, 2022.

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11           UNITED STATES MAGISTRATE JUDGE

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